

UNITED STATES DISTRICT COURT
DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BENJAMIN ASBURY,

Defendant.

PO-17-5116-GF-JTJ

Ticket Number: 6564189, 5654188,
5654186 and 5654187

Location Code: M13

Disposition Code: PP for 6564188 and
NM for 5654189, 5654186, 6564187

JUDGMENT IN A CRIMINAL CASE
AND ORDER DISMISSING

The Defendant, Benjamin Asbury, was present in court and entered a plea of guilty to the charge of OPERATING UNDER THE INFLUENCE TO AN UNSAFE DEGREE.

The court imposes the following sentence pursuant to the Sentencing Reform Act of 1984:

1. Defendant must pay a fine in the amount of \$500.00 plus \$30.00 Special Assessment for OPERATING UNDER THE INFLUENCE TO AN UNSAFE DEGREE for a total of \$530.00. The fine has been paid in full, receipt number MTX400011694.

2. Defendant is sentenced to a total term of incarceration of 30 days. Defendant must report by December 1, 2017, to serve the 30 day period of incarceration.

Defendant is advised that pursuant to 18 U.S.C. § 3742(g) and Federal Rule of Criminal Procedure 58(g)(2)(B), Defendant has the right to appeal the sentence imposed in this case to a United States District Court Judge within fourteen (14) days after entry of judgment, by filing with the Clerk of District Court a statement specifying the judgment from which the appeal is taken, and by serving a copy of the statement upon the United States Attorney (personally or by mail) and filing a copy with Magistrate Judge Johnston. If you appeal, you will be required to pay a \$38 fee pursuant to 28 U.S.C. § 1914, Fee Schedule, subsection (10) at the time of filing your appeal. You also will be required to furnish the District Court Judge a copy of the record, which consists of the “original papers and exhibits in the case together with any transcript, tape or other recording of the proceedings and a certified copy of the docket entries which shall be transmitted promptly to the clerk of court.” Fed. R. Crim. P. 58(g)(2)(c).

IT IS FURTHER ORDERED that VIOLATION NUMBERS 6564189, 6564186, 6564187 are hereby DISMISSED on the motion of the United States.

Date of Imposition of Judgment: August 11, 2017.

Dated this 16th day of August, 2017.



John Johnston
United States Magistrate Judge